

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**MATTHEW POPP,**

**Plaintiff,**

**v.**

**NANCY A. BERRYHILL,  
Acting Commissioner of Social  
Security,**

**Defendant.**

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**CIVIL ACTION**

**NO. 17-4404**

**ORDER**

**AND NOW**, this \_\_17th\_\_ day of December, 2018, upon consideration of Plaintiff’s Brief and Statement of Issues in Support of His Request for Review (“Request for Review”) (Doc. 9), Defendant’s Response to Request for Review of Plaintiff (Doc. 10), and the Report and Recommendation of United States Magistrate Judge Jacob P. Hart (“Report and Recommendation”), **IT IS HEREBY ORDERED AND DECREED** as follows:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. Plaintiff’s Request for Review (Doc. 9) is **GRANTED IN PART AND DENIED IN PART** consistent with the Report and Recommendation; and
3. This matter is **REMANDED** to the Commissioner pursuant to sentence four of 42 U.S.C. § 405(g)<sup>1</sup> for further proceedings consistent with the Report and Recommendation.<sup>2</sup>

**IT IS FURTHER ORDERED** that the Clerk of Court shall mark the above-captioned matter as **CLOSED** for statistical purposes.

**BY THE COURT:**

**/s/ Petrese B. Tucker**

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**Hon. Petrese B. Tucker, U.S.D.J.**

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<sup>1</sup> Section 405(g) provides that “[t]he [district] court shall have power to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the Commissioner of Social Security, with or without remanding the cause for a rehearing.” 42 U.S.C. § 405(g).

<sup>2</sup> As described in detail in the Report and Recommendation, this matter shall be remanded for further development of the record as it relates to Matthew Popp’s alleged mental impairments.